

STATE OF NEW JERSEY
Office of the Attorney General
Department of Law and Public Safety
Division of Gaming Enforcement

_____)	
Application of Harry's Oyster Bar, LLC d/b/a)	ORDER
Harry's Oyster Bar and Seafood for a Casino Hotel)	PRN 1031102
Alcoholic Beverage (CHAB) License)	(Issuance of CHAB License)
_____)	

By its Application (PRN 1031102), Harry's Oyster Bar, LLC d/b/a Harry's Oyster Bar and Seafood ("Harry's Oyster Bar") seeks to obtain a Casino Hotel Alcoholic Beverage ("CHAB") license as required to operate within the casino hotel facility of Bally's Atlantic City. Having considered the relevant provisions of the Casino Control Act, *N.J.S.A. 5:12-1 et seq.*, and pursuant to the Division of Gaming Enforcement's authority to issue a CHAB license under *N.J.S.A. 5:12-103(a)*, I hereby Order that the request be granted and that Harry's Oyster Bar be issued a CHAB license, license number **3333-01-076-001** with the following conditions:

1. Harry's Oyster Bar is authorized as a Type II CHAB location in Bally's Atlantic City as depicted on the architectural drawings submitted in connection with Harry's Oyster Bar's license application. This entitles Harry's Oyster Bar to sell alcoholic beverages by the glass or other open receptacle for on-premise consumption as well as to possess or store alcoholic beverages within its authorized location.
2. The Division reserves the right to suspend, limit, condition or revoke Harry's Oyster Bar's CHAB license or to take any other actions authorized by and pursuant to *N.J.S.A. 5:12-109* and *129* in appropriate circumstances.
3. The Division retains the right to take any and all action authorized by the Casino Control Act regarding the suitability of Harry's Oyster Bar to transact business with Bally's Atlantic City including those vendors operating within that casino hotel.

4. Harry's Oyster Bar shall not transfer any ownership interest, except between existing natural person or entity qualifiers, without first receiving prior written approval from the Division.
5. Harry's Oyster Bar shall not enter into any management agreement, profit sharing agreement, franchise agreement or service agreement with any person or entity in connection with the operation of the premises without first receiving prior written approval from the Division.
6. Harry's Oyster Bar shall not amend or assign its lease with Bally's Atlantic City without first receiving prior written approval from the Division.
7. Harry's Oyster Bar is to comply with the provisions of *N.J.S.A.* 33:1-25 and 26, *N.J.A.C.* 13:2-14.5, as well as *N.J.A.C.* 13:69I-1.5, 2.2 and 2.3 which pertain to employment eligibility in a licensed CHAB facility.
8. Harry's Oyster Bar is to maintain on its premises at Bally's Atlantic City an updated and current Employee Listing pursuant to *N.J.A.C.* 13:69I-2.3(a) and provide a copy of this listing to the Division on the first day of each calendar quarter pursuant to *N.J.A.C.* 13:69I-2.3(d). The listing must also be available for inspection upon request by staff of the Division.
9. Harry's Oyster Bar must obtain all necessary approvals required by other governmental agencies prior to the sale of any alcoholic beverages. Harry's Oyster Bar is also required to update and maintain any of these approvals as appropriate.
10. Harry's Oyster Bar is an applicant for a Casino Hotel Alcoholic Beverage Casino Service Industry (CHAB CSI) license. Should Harry's Oyster Bar be later found by the Division to be unqualified to hold such CHAB CSI license, the CHAB license issued to Harry's Oyster Bar will be revoked upon that determination.

Dated: May 24, 2011


DAVID REBUCK
ACTING DIRECTOR